

EXHIBIT B

U.S. Department of Homeland Security
Washington, DC 20536-5009



**U.S. Immigration
and Customs
Enforcement**

November 27, 2013

IAN HEAD
CENTER FOR CONSTITUTIONAL RIGHTS
666 BROADWAY, 7TH FL
NEW YORK CITY, NY 10012

Re: 2014FOIA3585

Dear Mr. Head:

This acknowledges receipt of your November 25, 2013, Freedom of Information Act (FOIA) request to the Immigration and Customs Enforcement (ICE), for information on the Detention Bed Mandate and/or Detention Quota and its impact on detention policy and detention contracting decisions nation-wide from June 2006 to present. Including copies of executed agreements related to detention facilities or detention beds, between ICE and private prison corporations, local, state, city or municipal governments. Communications regarding contract renewal, supplemental agreements, addendums and riders. Copies of all regularly generated statistical reports on detention; enforcement prioritization and detained population; detention by geographic location. Copies of cumulative data on numerical payouts to private prison corporations by ICE or DHS. Reports and memoranda reporting on the Detention Bed Mandate and Detention-related Appropriations Decisions to/from the Secretary of Homeland Security. Records about releases from detention due to budget constraints or loss of funding. Your request was received in this office on November 27, 2013.

Due to the increasing number of FOIA requests received by this office, we may encounter some delay in processing your request. Per Section 5.5(a) of the DHS FOIA regulations, 6 C.F.R. Part 5, the Department processes FOIA requests according to their order of receipt. Although DHS' goal is to respond within 20 business days of receipt of your request, the FOIA does permit a 10-day extension of this time period. As your request seeks numerous documents that will necessitate a thorough and wide-ranging search, DHS will invoke a 10-day extension for your request, as allowed by Title 5 U.S.C. § 552(a)(6)(B). If you care to narrow the scope of your request, please contact our office. We will make every effort to comply with your request in a timely manner; however, there are currently 1072 open requests ahead of yours.

Provisions of the Act allow us to recover part of the cost of complying with your request. We shall charge you for records in accordance with the DHS Interim FOIA regulations as they apply to non-commercial requesters. As a non-commercial requester you will be charged 10-cents a page for duplication, although the first 100 pages are

free, as are the first two hours of search time, after which you will pay the quarter-hour rate (\$4.00, \$7.00, \$10.25) of the searcher. We will construe the submission of your request as an agreement to pay up to \$25.00. You will be contacted before any further fees are accrued.

We have queried the appropriate program offices within ICE for responsive records. If any responsive records are located, they will be reviewed for determination of releasability. Please be assured that one of the processors in our office will respond to your request as expeditiously as possible. We appreciate your patience as we proceed with your request.

Your request has been assigned reference number 2014FOIA3585. Please refer to this identifier in any future correspondence. You may contact this office at (866) 633-1182. Our mailing address is 500 12th Street, S.W., Stop 5009, Washington, D.C. 20536-5009.

Sincerely,

R. Yau.

Catrina M. Pavlik-Keenan
FOIA Officer

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After careful review of your FOIA request, we determined that your request is too broad in scope or did not specifically identify the records which you are seeking. Records must be described in reasonably sufficient detail to enable government employees who are familiar with the subject area to locate records without placing an unreasonable burden upon the agency. For this reason, §5.3(b) of the DHS regulations, 6 C.F.R. Part 5, require that you describe the records you are seeking with as much information as possible to ensure that our search can locate them with a reasonable amount of effort. Whenever possible, a request should include specific information about each record sought, such as the date, title or name, author, recipients, and subject matter of the records, if known, or the DHS component or office you believe created and/or controls the record. The FOIA does not require an agency to create new records, answer questions posed by requesters, or attempt to interpret a request that does not identify specific records.

Please resubmit your request containing a reasonable description of the records you are seeking. Upon receipt of a perfected request, you will be advised as to the status of your request.

If we do not hear from you within 10 days from the date of this letter, we will assume you are no longer interested in this FOIA request, and the case will be administratively closed. Please be advised that this action is not a denial of your request and will not preclude you from filing other requests in the future.

Your request has been assigned reference number **2014FOIA3585**. Please refer to this identifier in any future correspondence. You may contact this office at (866) 633-1182. Our mailing address is 500 12th Street, S.W., Stop 5009, Washington, D.C. 20536-5009.

Sincerely,

C. M. Pavlik-Keenan
Catrina M. Pavlik-Keenan
FOIA Officer

[Signature]



U.S. Immigration
and Customs
Enforcement

Freedom of Information Act Office

500 12th St., S.W., MS 5009
Washington, D.C. 20536-5009

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